

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES MICHAEL PAPAZIAN,

Plaintiff,

v.

J. DOERER,

Defendant.

Case No. 1:24-cv-01182-HBK (PC)

ORDER GRANTING APPLICATION TO  
PROCEED *IN FORMA PAUPERIS*

(Doc. No. 5)

ORDER DIRECTING PAYMENT  
OF INMATE FILING FEE BY THE  
BUREAU OF PRISONS

Plaintiff, a federal prisoner, initiated this action on September 18, 2024, by filing a pro se civil rights complaint pursuant to *Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics*<sup>1</sup>. (Doc. No. 1, “Complaint”). Prior to screening, Plaintiff filed a First Amended Complaint. (Doc. No. 4, “FAC”). Plaintiff seeks leave to proceed *in forma pauperis* on his FAC and submitted a certification from prison officials in support. (Doc. No. 5). Plaintiff has made the showing required by § 1915(a) to proceed *in forma pauperis* but remains obligated to pay the full \$350.00 statutory filing fees as set forth in 28 U.S.C. § 1915. **Pursuant to § 1915(b)(1)(A), Plaintiff is obligated to make an initial payment of \$87.24<sup>2</sup> (20% of the average 6-month**

---

<sup>1</sup> 403 U.S. 388 (1971).

<sup>2</sup> The statute requires an initial filing fee of 20% of the greater of the six-month average monthly deposits or average monthly balance. 28 U.S.C. § 1915(b)(1)(A), (B). Plaintiff’s average monthly balance over the relevant period was \$436.19 and his average monthly deposits was \$72.69. (Doc. No. 5 at 2).

1 **balance on his prisoner's account).** Thereafter, Plaintiff must make monthly payments of 20%  
2 of the preceding month's income credited to his trust account. The California Department of  
3 Corrections is required to send the initial \$87.24 payment to the Clerk of the Court from any  
4 deposits made into Plaintiff's account until the \$87.24 is paid and thereafter make subsequent  
5 payments from Plaintiff's account each time the amount in her account exceeds \$10.00, until the  
6 statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

7 ACCORDINGLY, it is **ORDERED**:


8 1. Plaintiff's motion to proceed *in forma pauperis* (Doc. No. 5) is GRANTED.

9 2. **The Director of the Federal Bureau of Prisons, or his designee shall forward an**  
10 **initial payment of \$87.24 to the Clerk of the Court from Plaintiff's prison trust account in**  
11 **accordance with 28 U.S.C. § 1915(b)(1)(B) and thereafter shall make future monthly**  
12 **payments in an amount equal to twenty percent (20%) of the preceding month's income**  
13 **credited to the Plaintiff's trust account each time the amount in the account exceeds \$10.00,**  
14 **in accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has been collected and**  
15 **forwarded to the Clerk of the Court.** The payments shall be clearly identified by the name and  
16 number assigned to this action.

17 3. The Clerk of the Court is directed to serve a copy of this order and a copy of Plaintiff's  
18 *in forma pauperis* application on the Federal Bureau of Prison, via the court's electronic case  
19 filing system (CM/ECF).

20 4. The Clerk of the Court is directed to serve a copy of this order on the Financial  
21 Department, U.S. District Court, Eastern District of California.

22  
23 Dated: November 19, 2024

  
HELENA M. BARCH-KUCHTA  
UNITED STATES MAGISTRATE JUDGE